

## Message Text

CONFIDENTIAL

PAGE 01 STATE 167205

55

ORIGIN L-03

INFO OCT-01 NEA-10 ADP-00 SCS-03 SCA-01 RSC-01 /019 R

DRAFTED BY L/M/SCA:HFSHAMWELL:CF

8/22/73 EXT 20768

APPROVED BY NEA:RPDAVIES

NEA/TUR: MR HIRSHORN

L/M/SCA - MR MALMBORG

SCA/SCS - MR FINNEGAN (INFO)

L/NEA - MR BROWN

----- 025986

O R 222235Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA IMMEDIATE

INFO AMCONSUL ISTANBUL

C O N F I D E N T I A L STATE 167205

E.O. 11652: GDS

TAGS: CASC, TU (HAYES, WILLIAM)

SUBJ: WILLIAM HAYES

REF: (A) ANKARA 6579; (B) STATE 165229; (C) ANKARA 6598;  
(D) STATE 153060; PREVIOUS.

1. DEPT HAS CONSIDERED FURTHER POSSIBLE COURSES OF ACTION, OUTLINED REF A. IF STATEMENT CONTAINED PARA 2, SENTENCE 1, PROVES ACCURATE, DEPT FAVORS STEPS AIMED AT REDUCTION OR COMMUTATION OF EXPECTED 30-YEAR MINIMUM SENTENCE.

2. DEPT CONCERNED THAT EMBASSY NOT APPEAR ADVOCATE SPECIFIC LEGAL MOVES NOT FAVORED (OR OPPOSED) BY HAYES' OWN COUNSEL. IN THIS CONNECTION (RE PARA 3, REF A), IT IS RECOMMENDED THAT APPROACHES BE DELIVERED IN CONTEXT INQUIRIES RATHER THAN OFFICIAL REQUESTS ON BEHALF USG. DEPARTMENT PREFERS EMBASSY AVOID ASSUMING ROLE OF HAYES' LAWYERS.

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3. RE PARA 7(E), DEPT BELIEVES IT IMPOSSIBLE TO GIVE

EITHER DEFINITE OR INDEFINITE ASSURANCES THAT STATUTE 647 CAN BE COMPLIED WITH. EVEN POSSIBLE USG ADHERENCE TO CONVENTION ON INTERNATIONAL VALIDITY OF CRIMINAL JUDGMENTS OR SIMILAR TREATY PROVIDES NO LEGAL BASIS FOR COMMITMENT TO TAKE SPECIFIC ACTION AT PRESENT TIME. IN ADDITION,

DEPARTMENT DISCOURAGES ANY ACTION ON EMB'S PART WHICH MIGHT BE CONSTRUED AS CONCURRENCE IN RELEASE HAYES FROM TURKISH AUTHORITIES UNDER 647 WITH IMPLICIT UNDERSTANDING THAT HE WOULD NOT BE SUBJECT TO JURISDICTION U.S. AUTHORITIES.

4. DEPT SEES NO OBJECTION EFFORTS TO INCLUDE HAYES WITHIN GENERAL AMNESTY AND/OR TO SEEK APPEAL OF SENTENCE (PARA 7(A) AND (B)). RE PARA 7(C), WHILE PRESIDENTIAL PARDON OR COMMUTATION DESIRABLE, WE FEEL PUBLIC EXPLANATION CITING BASIS CLEARLY NOT SUPPORTED BY FACTS WOULD BE UNDESIRABLE. ROGERS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 AUG 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973STATE167205  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** HFSHAMWELL:CF  
**Enclosure:** n/a  
**Executive Order:** GS DAVIES  
**Errors:** N/A  
**Film Number:** n/a  
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**Original Handling Restrictions:** n/a  
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**Original Previous Handling Restrictions:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** (A) ANKARA 6579; (B) STATE 165229; (, C) ANKARA 6598;  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 08 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <08-Jan-2002 by kelleyw0>; APPROVED <23-Jan-2002 by morefirh>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** WILLIAM HAYES  
**TAGS:** CASC, TU, (HAYES, WILLIAM)  
**To:** ANKARA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005